

**FILED**

SEP 16 2013

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

1 STEVEN G. KALAR  
2 Federal Public Defender  
2 ROBERT CARLIN (123806)  
3 Assistant Federal Public Defender  
3 160 West Santa Clara Street, Suite 575  
4 San Jose, CA 95113  
4 Telephone: (408) 291-7753  
E-mail: robert\_carlin@fd.org

Counsel for Defendant  
JOEY JACOB LAVATO

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) No. CR 12-00589-LHK (HRL)  
12 Plaintiff, ) No. CR 13-00222-LHK (HRL)  
13 vs. )  
14 JOEY JACOB LAVATO, )  
15 Defendant. )  
16 )  
17 [PROPOSED] ORDER ON  
18 STIPULATION TO MODIFY  
19 CONDITIONS OF RELEASE AND  
20 APPEARANCE

17       1. Mr. Lavato is charged with violations of 18 U.S.C. §§ 1001 and 662 in cases CR 12-  
18 00589-LHK and CR 13-00222-LHK respectively. On August 28, 2013, this Honorable Court  
19 ordered that Mr. Lavato be released on his own recognizance subject to various conditions,  
20 including the requirement that he reside in a halfway house until he finds a suitable residence  
21 and is fitted with an electronic monitoring device.

22        2. Since his release, Mr. Lavato has secured a place, which is immediately available, at  
23 the Seventh Step Foundation, a residential drug treatment facility, located at 475 Medford  
24 Avenue, Hayward, California 94541. If Mr. Lavato resides at and participates in treatment at the  
25 Seventh Step Foundation he will not be permitted to wear an electronic monitoring device.

**PROPOSED] ORDER ON STIPULATION  
TO MODIFY CONDITIONS OF RELEASE  
AND APPEARANCE**  
CR 12-00589-LHK (HRL)  
CR 13-00222-LHK (HRL)

1       3. The parties have requested that Mr. Lavato's conditions of release be modified to  
2 permit him to leave the halfway house and to move to the Seventh Step Foundation residential  
3 treatment facility, where he shall reside for at least six months or until graduation from the  
4 program, and additionally that the electronic monitoring condition currently in effect be  
5 removed.     4. United States Services Pretrial Services Officer Gelareh Farahmand has been  
6 consulted regarding the requested modifications and has no opposition.

7 IT IS SO ORDERED.

8 Dated: September 16, 2013

9  
10 HON. HOWARD R. LLOYD  
11 UNITED STATES MAGISTRATE JUDGE

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26 PROPOSED] ORDER ON STIPULATION  
TO MODIFY CONDITIONS OF RELEASE  
AND APPEARANCE  
CR 12-00589-LHK (HRL)  
CR 13-00222-LHK (HRL)